

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LOCAL 25 S.E.I.U. WELFARE FUND, LOCAL 25 S.E.I.U. & PARTICIPATING EMPLOYERS PENSION TRUST,)	
)	
Plaintiffs,)	
)	
v.)	NO. 08C 3176
)	
MIDWEST ENVIRONMENTAL SERVICES GROUP, INC., an Illinois Corp.,)	Judge Der-Yeghiayan
)	
Defendant.)	Mag. Judge Nolan

JOINT INITIAL STATUS REPORT

A. The lead Attorneys on the case.

The lead Attorneys on the case are Robert B. Greenberg of Asher, Gittler, Greenfield & D'Alba, Ltd., 200 West Jackson Boulevard, Suite 1900, Chicago, Illinois 60606, Attorney for Plaintiffs.

Steven H. Adelman of Locke, Lord, Bissell & Liddell, LLP, 111 South Wacker Drive, Suite 4300, Chicago, Illinois 60606, Attorney for Defendant.

1. Nature of the claims and counterclaims.

This is an action to compel production of books and records of Midwest Environmental Services Group by the Plaintiffs' Auditors, to determine if Plaintiffs have been properly remitting contributions due pursuant to collective bargaining agreement, and to collect delinquent contributions.

2. Relief sought by Plaintiff.

Action for collection of delinquent contributions in the amount of \$64,661.56, and audit for the period July 1, 2006, through April 30, 2008.

3. Names of parties that not served.

Midwest Environmental Services Group, Inc., has not been served. However, Counsel for Midwest indicates he is waiting for client's approval for him to file an Appearance, and waiving service of Summons.

4. Principal legal issues.

There do not appear to be any legal issues at this time. Defendant has agreed to audit, and preliminary audit report is being completed.

5. Principal factual issues.

There do not appear to be any factual issues at this time.

6. List of pending motions and brief summary of bases for motions.

There are no motions pending, and none anticipated at this time.

7. Description of discovery requested and exchanged.

Audit in process.

8. Type of discovery requested and exchanged.

It is possible that interrogatories may need to be prepared and filed.

9. Proposed dates for: Rule 26(a)(1) disclosures, fact discovery completion, expert discovery completion (including dates for the delivery of expert reports), filing of dispositive motions, filing of a final pretrial order.

It is proposed that Rule 26(a)(1) disclosure be completed by September 1, 2008, fact discovery be completed by November 1, 2008. It is not anticipated that there will be a need for expert discovery. Filing of dispositive motion proposed date is December 1, 2008. Filing of final pretrial order December 31, 2008.

10. Estimation of when case will be ready for trial.

February 15, 2009.

11. Probable length of trial.

Two days.

12. Whether a request has been made for a jury trial.

No request has been made for a jury trial.

13. Whether there have been settlement discussions and if so, the outcome of those discussions.

No settlement discussions as yet. Awaiting completion of audit.

14. Whether the parties consent to proceed before a Magistrate Judge.

The parties will consent to proceed before a Magistrate Judge.

/s/ Robert B. Greenberg
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/s/ Steven H. Adelman
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Dated: July 28, 2008

CERTIFICATE OF SERVICE

Service was accomplished pursuant to ECF as to Filing Users, and Counsel shall comply with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

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Dated: July 28, 2008